IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 29817 of 2007(Y)

PETITIONER:

M/S.STAR PANELS & CEILINGS,
K.P.14/230, NCC ROAD, PEROORKADA P.O.,
THIRUVANANTHAPURAM, HAVING BRANCH AT 32/2624 B(1),
NANTHANATH, ERNAKULAM, REPRESENTED BY ITS
PARTNER GEORGE K.PETER.

BY ADV. SRI.N.MURALEEDHARAN NAIR
SRI.V.K.SHAMUSUDHEEN

RESPONDENTS:
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1. INTELLIGENCE INSPECTOR, SQUAD NO.V,
COMMERCIAL TAXES, ERNAKULAM.

2. COMMERCIAL TAX OFFICER, COMMERCIAL
TAXES, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO. 29817 OF 2007 Y

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Dated this the 8th day of October, 2007

J U D G M E N T

Goods imported by the petitioner through Kochi Port are under detention by Ext.P2. The reason stated is that the bill of entry revealed that the consignee is at Trivandrum and the goods were intercepted while the vehicle carrying the same was plying towards Alwaye direction. It is the contention of the petitioner that he has a branch in Ernakulam and the certificate of registration also evidences this fact. Petitioner submits that the only mistake committed by his representative was that the delivery note was not entrusted to the driver. However, petitioner seeks release of the goods.

2. Petitioner is a registered dealer and the goods in question are also imported goods. In these circumstances, I do not think it necessary to continue the detention of the goods in question. Therefore,I direct the respondents to release the consignment including the vehicle to the petitioner, on his

executing a self bond. Thereafter, the competent authority shall adjudicate the matter and finalise the demand, if any, against the petitioner.

Writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp